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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/581,513	09/07/2000	Marc Brison	100210-00001	6827

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Arent Fox Kintner Plotkin & Kahn
1050 Connecticut Avenue NW Suite 600
Washington, DC 20036-5339

EXAMINER

COLE, LAURA C

ART UNIT	PAPER NUMBER
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1744

DATE MAILED: 10/19/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/581,513

Applicant(s)

BRISON, MARC

Examiner

Laura C Cole

Art Unit

1744

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 15 September 2004.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-4,9-15,17,18,20 and 21 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-4,9,10,17,18,20 and 21 is/are rejected.
- 7) ☒ Claim(s) 11-15 is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 14 July 2003 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____.
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____.

DETAILED ACTION

Claim Rejections - 35 USC § 112

The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

1. Claim 21 is rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

Claim 21, the phrase in Line 5 "clip or snap fasten", renders the claim confusing. It is unclear what or how "clip or snap fasten" is intended to be. Further, what is the broom stick or handle clipped or snap fastened to?

Claim Rejections - 35 USC § 103

The text of those sections of Title 35, U.S. Code not included in this action can be found in a prior Office action.

2. Claims 1, 9, 17-18, and 20-21 are rejected under 35 U.S.C. 103(a) as being unpatentable over Krajicek, USPN 4,852,210 in view of Lundstedt, USPN 5,862,565.

Krajicek discloses a wet mop with interchangeable scrubbing pad and cloth wipe that comprises a plate of generally rectangular shape (Figure 5 (9)), gripping and manipulating means (Figures 2 and 5, the assembly of (6) and (7)), means for securing pieces of textile (Column 3 Lines 5-11), the gripping means is interchangeable (the portions (6) and (7) may be interchangeable as the central rod is not permanently fixed to secure (7) (see Figure 4) or can be interchangeable in that the features may be broken and replaced), a central rod "fixedly" connected to the plate (Figures 3 and 4

Art Unit: 1744

display two separate embodiments of a central rod configuration; when assembled the central rod is "fixedly" held in place), a plurality of means for fixing different types of pieces of textile being at least on the lower base of the plate with plane portions for self-gripping strips (Figure 8 displays plane portions (22) that engage self-gripping strips (23) that are situated on the lower base of the plate) or on the upper face of the plate having clamping mechanisms co-operating with a cavity in the plate to hold up pieces having turned-back edges and holes suitable for press stud systems (the clamping mechanism being the elastic band of Figure 6 (27) which cooperates with the cavity that is formed by outer lip (17) when the textile (26) has turned-back edges, and holes (21) that are suitable for press-stud systems.) Krajicek further discloses a joint (Figure 5 assembly (6) and (7)) pivoting on a central rod (Figures 3-4) connected to a plate, that a threaded socket (Figure 5 (6)) is screwed to the broom-stick (as shown in Figure 1), or that the threaded socket (Figure 5 (6)) may be considered to be the handle and manipulated by hand, the lower base is provided with cavities for receiving the self-gripping strips (Figure 5 (21)), that the holes which could be suitable for press stud systems are provided on the ends of the plate (the holes suitable for press stud systems are (21) of Figure 5 as the press stud "holes" are not required to work with the self-gripping strips as the claim dependency is set up, so holes (21) could be suitable for either embodiment, the holes (21) are provided on the ends of the plate in Figure 5), the holes have an oval profile oriented longitudinally (as a round "circular" shape shown in Figure 5 could be considered an oval), the walls of the holes are "resiliently" deformable, and that a sponge support is "clipped" into the holes under the lower base

(The sponge is Figure 5 (18) and is clipped in a way as shown in Figure 7.) Krajicek does not disclose that the gripping and manipulating portion are capable of clipping or snap-fitting to a central rod over an opening through the plate.

Lundstedt discloses a joining means for connecting a gripping and manipulating portion (300) to a central rod portion (200) by "snap-fitting" or "clipping" portions (310, 311, 316, 320; see Figure 6).

It would have been obvious for one of ordinary skill in the art to modify the gripping and manipulating portion of Krajicek so that it is fitted with snap-fitting portions, such as Lundstedt teaches as a means for quick release in mounting.

Further, Krajicek and Lundstedt discloses the claimed invention except for an opening through the plate below the central rod. It would have been an obvious matter of design choice to have an opening in the plate under the central rod, since applicant has not disclosed that having an opening through the plate below the central rod solves any stated problem or is for any particular purpose and it appears that the invention would perform equally well with a plate that does not have an opening below the central rod.

3. Claims 1 and 21 are rejected under 35 U.S.C. 103(a) as being unpatentable over Garcia, USPN 5,419,015 in view of Lundstedt, USPN 5,862,565.

Garcia discloses a mop with removable interchangeable work pads that comprise a generally rectangular plate (Figure 3 (23)) with gripping and manipulating means (Figures 1 and 2 (25)), a handle (21), a "fixedly" held central rod (Figure 2 (30)), and means for fixing different types of fabric to the plate include at least on the lower base of

Art Unit: 1744

the plate planar portions for self-gripping strips (Figures 1, 2, and 4 (28)). Garcia does not disclose that the gripping and manipulating portion are capable of clipping or snap-fitting to a central rod over an opening through the plate.

Lundstedt discloses a joining means for connecting a gripping and manipulating portion (300) to a central rod portion (200) by "snap-fitting" or "clipping" portions (310, 311, 316, 320; see Figure 6).

It would have been obvious for one of ordinary skill in the art to modify the gripping and manipulating portion of Garcia so that it is fitted with snap-fitting portions, such as Lundstedt teaches as a means for quick release in mounting.

Further, Garcia and Lundstedt discloses the claimed invention except for an opening through the plate below the central rod. It would have been an obvious matter of design choice to have an opening in the plate under the central rod, since applicant has not disclosed that having an opening through the plate below the central rod solves any stated problem or is for any particular purpose and it appears that the invention would perform equally well with a plate that does not have an opening below the central rod.

4. Claims 2-4 are rejected under 35 U.S.C. 103(a) as being unpatentable over Krajicek, USPN 4,852,210 in view of Lundstedt, USPN 5,862,565, and in further view of Nichols et al., USPN 4,642,837.

Krajicek and Lundstedt disclose all elements mentioned above, however do not include two flexible strips on the joint for the attachment between the joint and the handle.

Nichols et al. disclose a broom having interlocking components comprising a joint (Figure 1 (7)) pivoting on a rod (9)), the joint having two flexible strips (Figure 1 (31)) for detaching the stick or handle from the plate. Also, the strips bear toes (Figure 4 (49)) capable of sliding in positioning guides or "holes" (Figures 1 and 4 (33)) that are part of the sleeve assembly (Figure 4 displays that a sleeve (5) encompasses the entire "section") for supporting the broomstick or handle.

It would have been obvious for one of ordinary skill in the art to modify the joint for the attachment between the joint and the handle of Krajicek and Lundstedt, and substitute for the one of Nichols et al. so as to provide flexible strips and a flexible quick release handle and joint connection so that the user can vary handles for the appropriate function that is to be performed with the plate.

5. Claims 1, 9, 17-18, and 20-21 are rejected under 35 U.S.C. 103(a) as being unpatentable over Krajicek, USPN 4,852,210 in view of Ahlberg et al., USPN 5,461,749.

Krajicek discloses all elements above, however does not include interchangeable gripping and manipulating means fastened to a broom stick or handle, being connected to a fixedly positioned central rod connected to a plate with an opening therethrough by clipping or snap fastening.

Ahlberg et al. disclose a mop system having a plate that is rectangular (150b), provided with interchangeable gripping and manipulating means (228; see Figures 11A-11B; Column 8 Lines 21-23), as well as with means for securing pieces of textile (a second plate 150a claims with the other plate to secure fabric "140"; see Figures 10A and 10B), between a broom-stick or holding handle (104) and a central rod fixedly

Art Unit: 1744

connected to the plate (unlabeled, see Figure 11B below "238" and "240") over an opening in the plate (see Figures 7-9), are capable of clipping or snap fastening the broom stick (since it is held by a tight friction fit (Column 8 Lines 32-34). The placement of the pivotal connection is to effectively manipulate a mop head and to urge the cleaning sheet into contact with a surface to be cleaned (Column 8 Lines 8-12).

It would have been obvious for one of ordinary skill in the art to modify the positioning of the interchangeable gripping and manipulating means of Krajicek to be clipped by friction fit over an opening through a plate such as Ahlberg et al. teach in order to provide a manipulating means between a handle and a cleaning plate that effectively cleans and urges a cleaning sheet into contact with a surface to be cleaned.

6. Claims 1, 10, and 21 are rejected under 35 U.S.C. 103(a) as being unpatentable over Thomas, USPN 3,465,377 in view of Ahlberg et al., USPN 5,461,749.

Thomas discloses a dust mop head having cushion means that comprises a plate of generally rectangular shape (Figure 1 (1)) provided with gripping and manipulating means (Figure 1 swivel assembly (3)) being interchangeable (a replacement joint may be "interchanged" if the joint or rod was broken), means for securing textile being on the upper face having clamping mechanism to hold turned back edges, cooperating cavities, and having holes (Figure 1 (17) and (18) are the clamping mechanisms; Column 3 Lines 6-13; the cavities are seen in Figure 1 as where elements (17) and (18) descend into, but are unlabeled; and holes also unlabeled and seen in Figure 2), and a central rod (seen in Figure 1 connected to swivel (3)). Also the clamping mechanism is a specially shaped strip (Figure 1 (17) and (18)) co-operating

Art Unit: 1744

with a central window (unlabeled central hole in Figure 2) and two lateral cavities (unlabeled yet shown in Figure 1 where elements (17) and (18) descend into) that are located on the upper face of the plate (Figure 1.) It appears as if the strip is of a "bell type" in the Figures. Thomas does not include interchangeable gripping and manipulating means fastened to a broom stick or handle, being connected to a fixedly positioned central rod connected to a plate with an opening therethrough by clipping or snap fastening.

Ahlberg et al. discloses all elements above.

It would have been obvious for one of ordinary skill in the substitute the gripping and manipulating means of Thomas for one that is interchangeable with a fixedly positioned central rod that is to be clipped by friction fit over an opening through a plate such as Ahlberg et al. teach in order to provide a manipulating means between a handle and a cleaning plate that effectively cleans and urges a cleaning sheet into contact with a surface to be cleaned.

Allowable Subject Matter

7. Claims 11-15 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

Applicants Arguments

8. In the response made to a Final rejection filed 15 July 2004 the Applicant contends that:

All of the cited references fail to teach or suggest any gripping manipulating means that are interchangeable.

Response to Arguments

9. Applicant's argument (A) filed 30 December 2003 have been fully considered but they are not persuasive.

Krajicek and Garcia each disclose a "gripping and manipulating means between the broom-stick or holding handle and a central rod..." as mentioned above. Further, such "gripping and manipulating means" is considered to be "interchangeable" as one could break apart such means that Krajicek, Thomas, or Garcia disclose to replace it with a new means or disassemble the means in order to modify it or attach a different manipulating means. Krajicek, Thomas, and Garcia each place the means between a handle and a central rod.

Conclusion

10. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Laura C Cole whose telephone number is (571) 272-1272. The examiner can normally be reached on Monday-Thursday, 7:30am - 5pm, alternating Fridays.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Robert J Warden can be reached on (571) 272-1281. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

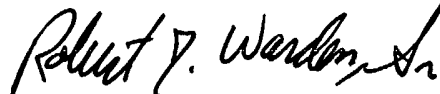
Art Unit: 1744

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

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15 October 2004



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